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WILKINSON ) BARKER ) KNAUER ) LLP

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**VIA HAND DELIVERY**

January 16, 2001

Carl Frank, Esq.  
Wiley Rein & Fielding  
1776 K Street, NW  
Washington, DC 20006

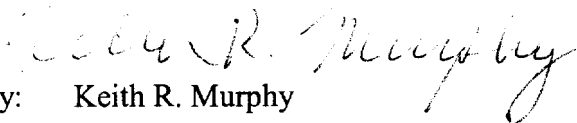
Re: *Section 1.1206(b) Disclosure of an Oral Ex Parte Presentation in IB  
Docket No. 95-91*

Dear Mr. Frank:

Please find attached a courtesy copy of the ex parte letter filed January 12, 2001 concerning the January 11, 2001 meeting between representatives from XM Radio, Inc., Sirius Satellite Radio, Inc., Metricom, Inc., WorldCom, Inc., BellSouth Corp., Shell Offshore Service Company, the Wireless Communications Association, International, Inc., and members of the Commission staff.

Sincerely,

WILKINSON BARKER KNAUER, LLP

  
By: Keith R. Murphy

Attachment

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January 12, 2001

Magalie Roman Salas, Secretary  
Federal Communications Commission  
445 Twelfth Street, S.W., Room TW-B204  
Washington, D.C. 20554

Re: *Section 1.1206(b) Disclosure of an Oral Ex Parte Presentation in IB  
Docket No. 95-91*

Dear Ms. Salas:

On January 11, 2001, representatives from XM Radio, Inc. ("XM") and Sirius Satellite Radio, Inc. ("Sirius"), the two Digital Audio Radio Service ("DARS") licensees, and from Metricom, Inc., WorldCom, Inc, BellSouth Corp., Shell Offshore Service Company and the Wireless Communications Association International, Inc., representing the the Multipoint Distribution Service ("MDS"). Instructional Television Fixed Service ("ITFS") and Wireless Communications Service ("WCS") industries, met with members of the Commission staff concerning the *Notice of Proposed Rulemaking* in IB Docket No. 95-91.<sup>1</sup> A list of all individual attendees is appended to this letter as Attachment A.

The meeting concerned the potential for interference to MDS/ITFS and WCS licensees from terrestrial DARS operations and the pending proposals by MDS/ITFS and WCS for the imposition of restriction on terrestrial DARS operations. It was agreed that no later than January 25, 2001, XM and Sirius will submit written proposals on (1) possible limitations on terrestrial DARS power levels, (2) possible limitations on the number and geographic placement of high power terrestrial DARS transmitters, and (3) the adoption of rules based on Section 27.58(a) of the Commission's Rules pursuant to which DARS licensees would provide advance notice of the installation of terrestrial DARS facilities and would replace legacy MDS/ITFS downconverters.

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<sup>1</sup> *Establishment of Rules and Policies for the Digital Audio Radio Service in the 2310-2360 MHz Frequency Band, Notice of Proposed Rulemaking*, Docket No. 95-91 (June 14, 1995).

Magalie Roman Salas, Secretary  
January 12, 2001  
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The representatives of the MDS/ITFS and WCS industries agreed to prepare and submit by that date (1) a consideration of effects of interference from a multiple 2,000 watt terrestrial repeaters versus a single 40,000 watt repeater; and (2) additional information regarding the likely number and general location of legacy MDS/ITFS downconverters.

Should you have any questions regarding the above, please do not hesitate to contact the undersigned.

Respectfully submitted,



Paul J. Sinderbrand

Counsel to the Wireless  
Communications Association  
International, Inc.

Attachment

cc: Ron Repasi, FCC  
Rockie Patterson, FCC  
Keith Larson, FCC  
Joe Johnson, FCC  
Chris Murphy, FCC  
Rosalee Chiasa, FCC  
Thomas A. Tycz, FCC  
Thomas P. Stanley, FCC  
Bruce Romano, FCC  
Ron Netro, FCC  
John O'Connor, FCC  
Carl Frank, Wiley Rein & Fielding

## **ATTACHMENT A**

### **List of Attendees**

William Wiltshire	Harris, Wiltshire & Grannis, LLP
George Harter	MSI, on behalf of Wireless Communications Association International, Inc.
Paul J. Sinderbrand	Wilkinson Barker Knauer, LLP, on behalf of Wireless Communications Association International, Inc.
Robert Koppel	MCI WorldCom, Inc.
Henry Rivera	Shook, Hardy & Bacon, on behalf of Metricom, Inc.
Michael Hamra	Metricom, Inc.
Robert Friday	Metricom, Inc.
Lawrence Solomon	Shook, Hardy & Bacon, on behalf of Metricom, Inc.
Karen B. Possner	BellSouth, Inc.
Lon Levin	XM Radio, Inc.
Phil Barsky	XM Radio, Inc.
Bruce Jacob	Shaw Pittman, on behalf of XM Radio, Inc.
Jeff Snyder	XM Radio, Inc.
Mark Gaudino	Sirius Radio, Inc.
Rob Briskman	Sirius Radio, Inc.
Carl Frank	Wiley, Rain and Fielding, on behalf of Sirius Radio, Inc.
Jennifer Hindin	Wiley, Rain and Fielding, on behalf of Sirius Radio, Inc.
Randy Young	Keller and Heckman, LLP, on behalf of Shell Offshore Service Company
Dave Konczal	Shaw Pittman, on behalf of XM Radio, Inc.
Richard R. LaMontague	MCI WorldCom, Inc.
Yang Weng	MCI WorldCom, Inc.
Keith R. Murphy	Wilkinson Barker Knauer, LLP, on behalf of Wireless Communications Association International, Inc.
Ron Repasi	Federal Communications Commission/International Bureau
Rockie Patterson	Federal Communications Commission/International Bureau
Keith Larson	Federal Communications Commission/Mass Media Bureau
Joe Johnson	Federal Communications Commission/Mass Media Bureau
Chris Murphy	Federal Communications Commission/International Bureau
Rosalee Chiasa	Federal Communications Commission/International Bureau
Thomas A. Tycz	Federal Communications Commission/International Bureau
Thomas P. Stanley	Federal Communications Commission/WTB
Bruce Romano	Federal Communications Commission/OET
Ron Netro	Federal Communications Commission/WTB
John O'Connor	Federal Communications Commission/WTB